

SERVED: February 21, 2008

NTSB Order No. EA-5364

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. § 800.24)
on the 21st day of February, 2008

_____)	
ROBERT A. STURGELL,)	
Acting Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-17865
v.)	
)	
JOHN WAYNE FERGUSON,)	
)	
Respondent.)	
_____)	

ORDER GRANTING STAY

Respondent has requested a stay of NTSB Order No. EA-5360, served February 5, 2008, pending disposition of a petition for review of that order in the United States Court of Appeals pursuant to Section 1006 of the Federal Aviation Act (49 U.S.C. § 14110) and the Board's Rules of Practice (49 C.F.R. § 821.64).¹ The Administrator does not oppose respondent's request. It appears that good cause exists for granting the stay.

ACCORDINGLY, IT IS ORDERED THAT:

The effective date of NTSB Order No. EA-5360 is stayed until the expiration of the 60-day period within which a petition for review may be filed with the Court of Appeals; however, if such a petition is filed, the stay will continue in effect until the court enters judgment on the petition.

Gary L. Halbert
General Counsel

¹ NTSB Order No. EA-5360 concluded that respondent had violated certain provisions of the Federal Aviation Regulations and ordered suspension of respondent's airline transport pilot certificate for an 85-day period.